

TOWN OF LAUDERDALE-BY-THE-SEA PLANNING AND ZONING BOARD AGENDA

Jarvis Hall
4505 Ocean Drive
Wednesday, February 21, 2018
6:00 PM

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **APPROVAL OF MINUTES**
 - a [APPROVAL OF MINUTES- SEPTEMBER 28, 2016](#)
 - b [APPROVAL OF MINUTES-- NOVEMBER 29, 2017](#)
4. **PUBLIC COMMENTS**
5. **NEW BUSINESS**
 - a [READOPTION OF ORDINANCES AFFECTING CHAPTER 30 ADOPTED AFTER AUGUST 19, 2014](#)
 - b [ORDINANCE 2018-05 :AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE SEA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE VIII, SIGN REGULATIONS, TO REVISE AND CLARIFY EXEMPT SIGNS, SIGN REQUIREMENTS AND STANDARDS, SIGN REGULATIONS BY ZONING DISTRICT, AND DEFINITIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.](#)

[PREVIOUS STAFF REPORT- SEPTEMBER 11, 2014](#)

[P&Z MEETING MINUTES](#)

[2018-05- NEW ORDINANCE](#)
 - c [ORDINANCE 2018-06: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, TO PROVIDE DEFINITIONS,](#)

CORRECT CROSS REFERENCES AND ELIMINATE DUPLICATION; TO PROVIDE AND UPDATE REQUIREMENTS FOR VIEW CORRIDORS EAST OF EL MAR DRIVE, LOITERING AND QUEUING ASSOCIATED WITH BUSINESSES, SINGLE FAMILY AND DUPLEX DRIVEWAYS, THE STATUS OF PARKING EXEMPTIONS GRANTED UNDER THE RESTAURANT EXEMPTION PROGRAM, TANDEM PARKING, AND BICYCLE AND NEIGHBORHOOD LOW-SPEED VEHICLE PARKING; TO REQUIRE AMORTIZATION AND UPGRADING OF NONCONFORMING PARKING AREA SURFACES IN THE BUSINESS DISTRICTS; TO CLARIFY WHEN BACK-OUT PARKING MUST BE ALTERED; TO PROVIDE UNIFORM APPEAL PROCEDURES; TO REGULATE DRIVE THROUGH SERVICE IN THE B1-A ZONING DISTRICT; TO ADD PARKING REQUIREMENTS FOR OUTDOOR RESTAURANT SEATING ON PRIVATE PROPERTY; TO ADD ALTERNATIVE STANDARDS FOR THE EL MAR STREETScape PLAN IF APPROVED BY THE TOWN COMMISSION; TO PROVIDE FOR AMENDMENT TO THE SEAGRAPE DRIVE SIDEWALK PLAN SET BY RESOLUTION; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

PREVIOUS STAFF REPORT- SEPTEMBER 11, 2014

P&Z MEETING MINUTES

2018-06- NEW ORDINANCE

- d ORDINANCE 2018-07: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-11, "DEFINITIONS", TO PROVIDE A DEFINITION OF MEDICAL MARIJUANA RETAIL CENTER; BY AMENDING SECTION 30-261, "B-1-A DISTRICT – BUSINESS" TO PROVIDE FOR CONDITIONAL USE REVIEW OF AND DEVELOPMENT REQUIREMENTS FOR MEDICAL MARIJUANA RETAIL CENTERS; BY MODIFYING SECTION 30-318, "MINIMUM PARKING REQUIREMENTS," TO PROVIDE PARKING STANDARDS FOR MEDICAL MARIJUANA RETAIL CENTERS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

PREVIOUS STAFF REPORT- SEPTEMBER 11, 2014

P&Z MEETING MINUTES

2018-07-NEW ORDINANCE

- e ORDINANCE 2018-08: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT

REGULATIONS, OF THE CODE OF ORDINANCES, SECTION 30-326, "GENERAL REGULATIONS FOR WINDOW AWNINGS AND ENTRANCE CANOPIES" TO UPDATE STANDARDS AND REVIEW REQUIREMENTS FOR AWNINGS AND ENTRANCE CANOPIES; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

PREVIOUS STAFF REPORT-OCTOBER 22, 2014

P&Z MEETING MINUTES

2018-08-NEW ORDINANCE

- f** ORDINANCE 2018-09: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING SECTION 30-241, "RM-25 DISTRICT – APARTMENTS AND LODGING," OF DIVISION 2, "DISTRICTS," OF ARTICLE V, "ZONING," OF CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, TO UPDATE THE REGULATIONS PERTAINING TO THE ACTIVITIES PERMITTED ON ROOFTOP USES CURRENTLY ALLOWED IN THE RM-25 DISTRICT AND DELETE OBSOLETE PROVISIONS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

PREVIOUS STAFF REPORT- MARCH 20, 2015

P&Z MEETING MINUTES

2018-09-NEW ORDINANCE

- g** ORDINANCE 2018-10: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 13, NOISE, SECTION 13-3, PROHIBITED ACTS, TO DELETE DUPLICATIVE GENERATOR REQUIREMENTS; AMENDING ARTICLE V "ZONING" OF CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-11, DEFINITIONS, TO ADD DEFINITIONS RELATED TO GENERATORS AND CLARIFY DWELLING DEFINITIONS AND BY AMENDING SECTION 30-313, GENERAL PROVISIONS, TO REVISE GENERAL REQUIREMENTS FOR EL MAR WALKS, DRIVEWAYS, SWALES, LIGHTING, ACCESSORY BUILDINGS, AND GENERATORS AND RELATED FUEL STORAGE TANKS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

PREVIOUS STAFF REPORT- MARCH 24, 2015

P&Z MEETING MINUTES

2018-10 NEW ORDINANCE

- h ORDINANCE 2018-11:AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-211, "RS-5 DISTRICT – RESIDENCE" TO MODIFY THE SETBACK REQUIREMENTS AND CALCULATIONS FOR WATERFRONT PROPERTIES AND DELETE ROOF STYLE LIMITATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

PREVIOUS STAFF REPORT- OCTOBER 13, 2015

P&Z MEETING MINUTES

2018-11 NEW ORDINANCE

- i ORDINANCE 2018-12: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-241, "RM-25 DISTRICT – APARTMENTS AND LODGING" TO CLARIFY THE REQUIREMENTS FOR TEMPORARY REAL ESTATE SALES OFFICES, CLARIFY SETBACK REQUIREMENTS, PROVIDE FOR BUILDING OVERHANGS IN FRONT YARDS, REORGANIZE THE SECTION AND DELETE DUPLICATIVE REQUIREMENTS; AND BY AMENDING SECTION 30-481, "LANDSCAPE REQUIREMENTS BY ZONING DISTRICTS" TO CLARIFY PERVIOUS LANDSCAPING REQUIREMENTS IN MULTIFAMILY DISTRICTS AND RELOCATE LANDSCAPE REQUIREMENTS FROM THE RM-25 DISTRICT REGULATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

PREVIOUS STAFF REPORT- AUGUST 27, 2015

P&Z MEETING MINUTES

2018-12 NEW ORDINANCE

- j ORDINANCE 2018-13: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE SEA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE VIII, SIGN REGULATIONS, TO AMEND THE LEGISLATIVE FINDINGS, REGULATIONS AND PROHIBITIONS APPLICABLE TO SIGNAGE, REVISE SIGN REQUIREMENTS AND STANDARDS, SIGN REGULATIONS BY SIGN TYPE AND BY ZONING DISTRICT, AND DEFINITIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN

EFFECTIVE DATE.

PREVIOUS STAFF REPORT- NOVEMBER 18, 2015

P&Z MEETING MINUTES

2018-13 NEW ORDINANCE

- k ORDINANCE 2018-14: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-11, "DEFINITIONS" TO ADD AND MODIFY DEFINITIONS RELATED TO DUPLEX USES; BY AMENDING SECTION 30-137, "NONCONFORMING USES AND STRUCTURES" TO ADDRESS NONCONFORMING SPLIT LOT DUPLEX DWELLINGS; BY AMENDING SECTION 30-221, "RD-10 DISTRICT-DUPLEX" TO ADDRESS NOTICE FOR DUPLEX DEVELOPMENT; BY AMENDING SECTION 30-241, "RM-25 DISTRICT—APARTMENTS AND LODGING" TO CLARIFY THAT SPLIT LOT DUPLEX PROPERTIES ARE SUBJECT TO THE NON-CONFORMING USE AND STRUCTURE REQUIREMENTS OF SECTION 30-137 AND REQUIRE THAT ALL DUPLEX DEVELOPMENT MUST COMPLY WITH CERTAIN NOTICE REQUIREMENTS; BY AMENDING SECTION 30-242, "RM-25 DISTRICT—REGULATIONS FOR THE REDEVELOPMENT OF EXISTING LOTS OF 60 FEET IN WIDTH OR LESS IN THE RM-25 DISTRICTS" TO ELIMINATE THE REQUIREMENT FOR CONDITIONAL USE APPROVAL OF SINGLE FAMILY AND DUPLEX USES ON LOTS LESS THAN 60 FEET IN WIDTH AND PROVIDE NOTICE REQUIREMENTS FOR DUPLEX DEVELOPMENT; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

PREVIOUS STAFF REPORT- NOVEMBER 4, 2015

P&Z MEETING MINUTES

2018-14 NEW ORDINANCE

- l ORDINANCE 2018-15: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 5, "BEACHES AND WATERWAYS" BY AMENDING SECTION 5-1, "DEFINITIONS" TO CLARIFY THE DEFINITION OF WATERCRAFT; AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-11, "DEFINITIONS", TO PROVIDE DEFINITIONS RELATED TO MARINA USES; BY AMENDING DIVISION 2, "DISTRICTS" OF ARTICLE V, "ZONING", TO RENAME SUBDIVISION G, "BUSINESS ZONING DISTRICT REGULATIONS" TO "B-1-A DISTRICT REGULATIONS", TO DELETE SECTION 30-260 TO ELIMINATE DUPLICATION, TO AMEND SECTION 30-261, "B-1-A DISTRICT – BUSINESS"

TO REORGANIZE REQUIREMENTS FOR CONDITIONAL USES, AND TO AMEND SECTION 30-271, "B-1 DISTRICT – BUSINESS" TO CORRECT REFERENCES AND PROVIDE FOR PERMITTED USE OF MARINAS, IDENTIFY SPECIFIC REQUIREMENTS FOR MARINA USES, AND REORGANIZE REQUIREMENTS FOR CONDITIONAL USES; BY AMENDING SECTION 30-311, "BOATS, BOAT LIFTS, BOATHOUSES AND ANCHORAGE," TO AMEND AND CLARIFY THE REQUIREMENTS FOR DOCKING AND MOORING OF WATERCRAFT AND PROVIDE A PROCESS AND REQUIREMENTS FOR THE DESIGNATION OF MARINA MOORING AREAS; BY AMENDING SECTION 30-318, "MINIMUM PARKING REQUIREMENTS" TO MODIFY PARKING REQUIREMENTS FOR MARINAS IN A YACHT BASIN; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

PREVIOUS STAFF REPORT- AUGUST 27, 2015

P&Z MEETING MINUTES

2018-15-NEW ORDINANCE

- m** ORDINANCE 2018-16:AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, TO CREATE A HISTORIC PRESERVATION BOARD AND PROGRAM, AND TO AMEND DEFINITIONS, PROCEDURES AND REGULATIONS RELATED TO HISTORIC PRESERVATION, ARCHAEOLOGICAL SITES, ARCHITECTURAL REVIEW AND CONDITIONAL USES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

PREVIOUS STAFF REPORT, MAY 18, 2016

P&Z MEETING MINUTES

2018-16 NEW ORDINANCE

- n** ORDINANCE 2018-17: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT CODE, OF THE CODE OF ORDINANCES TO UPDATE, STREAMLINE AND CLARIFY SITE PLAN REQUIREMENTS AND DEVELOPMENT PROCEDURES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

PREVIOUS STAFF REPORT

P&Z MEETING MINUTES

NEW ORDINANCE

- o ORDINANCE 2018-18: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING ARTICLE II, "DEVELOPMENT REVIEW" TO REVISE FLEXIBILITY RULES FOR RESIDENTIAL UNITS ON PROPERTIES DESIGNATED FOR COMMERCIAL LAND USE; AND BY AMENDING THE BUSINESS DISTRICTS TO REVISE DEVELOPMENT REQUIREMENTS, REORGANIZE THE SECTIONS, ADD NEW CONDITIONAL USES, ADDRESS REQUIREMENTS FOR MIXED USE DEVELOPMENT AND MOVE RELEVANT SUBSECTIONS TO SECTION 30-11, "DEFINITIONS" AND SECTION 30-313, "GENERAL PROVISIONS"; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

PREVIOUS STAFF REPORT

P&Z MEETING MINUTES

NEW ORDINANCE

- p ORDINANCE 2018-19: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, TO ELIMINATE THE USE OF PARKING WAIVERS IN THE B-1 AND B-1-A ZONING DISTRICT AND CREATE A "PAYMENT IN LIEU OF PARKING" PROGRAM TO ADDRESS PARKING ALTERNATIVES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

PREVIOUS STAFF REPORT

P&Z MEETING MINUTES

2018-19 NEW ORDINANCE

- q ORDINANCE 2018-20: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, TO REGULATE DUPLEX/TWO-FAMILY DWELLINGS, MULTIFAMILY DWELLINGS WITH 3 OR 4 DWELLING UNITS, AND DWELLING UNITS IN MIXED USE DEVELOPMENTS WITH 1 TO 4 DWELLING UNITS, AS SHORT TERM RENTALS WITHOUT LIMITATION AS TO THE FREQUENCY OR DURATION OF RENTAL; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

PREVIOUS STAFF REPORT, MARCH 1, 2017

[P&Z MEETING MINUTES](#)

[NEW ORDINANCE](#)

- r [ORDINANCE 2018-21: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-271, "B-1 DISTRICT – BUSINESS" TO REVISE REQUIREMENTS FOR MARINAS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.](#)

[PREVIOUS STAFF REPORT, APRIL 19, 2017](#)

[P&Z MEETING MINUTES](#)

[2018-21 NEW ORDINANCE](#)

- s [ORDINANCE 2018-22: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, CREATING TOWN REGULATIONS FOR THE ANNEXED AREAS, LYING GENERALLY NORTH OF PINE AVENUE AND CURRENTLY REGULATED BY THE FORMER BROWARD COUNTY CODE, BY DELETING DUPLICATE AND INAPPLICABLE PROVISIONS AND APPLYING THE TOWN'S EXISTING GENERAL LAND DEVELOPMENT REGULATIONS IN CHAPTER 30 THROUGHOUT THE ANNEXED AREAS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE](#)

[PREVIOUS STAFF REPORT, JULY 26, 2017](#)

[P&Z MEETING MINUTES](#)

[2018-22 NEW ORDINANCE](#)

6. **OLD BUSINESS**
7. **UPDATES/BOARD MEMBER COMMENTS**
8. **ADJOURNMENT**

Town Commission Regular Meeting Agenda Wednesday, February 21, 2018

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILARY AIDS AND SERVICES NECESSARY TO AFFORD INDIVIDUALS AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE TOWN COMMISSION. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE TOWN CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE MEETING AT (954) 640-4200 FOR ASSISTANCE.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO INSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PROCEDURES FOR PUBLIC COMMENTS:

Public Comments may address issues that are not on this meeting's agenda, but should relate to the business of the Town, and should not contain personal attacks. If your comment requires follow up, the Town Manager will have a staff person respond to your concerns, and will advise us of the outcome.

The Town Clerk will read off the names of those who have signed up to speak. When your name is called, please come to the podium, state your name for the record, and indicate whether you are a Town resident. Do not state your address. You have up to three minutes to make your comments, but there is no requirement to use the entire time. If you wish to address a particular Commissioner or member of Town Administration, please do so by use of their title.

If you wish to approach the Commission dais to hand out a document or for some other reason, please request permission and state your reason for doing so. All documents to be provided to the Commission should be handed to the Town Clerk for distribution, at the far right end of the dais.

These procedures have been developed to assure that the Town Commission meeting time is efficiently used, and that meetings are conducted in a polite and respectful manner. More information on the decorum rules for Town Commission meetings is available in Section 2-23 of the Town Code of Ordinances.

Town Commission Regular Meeting Agenda
Wednesday, February 21, 2018